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ELI LILLY AND COMPANY

By

Date

2-27-96



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David B. Anderson)
Klaus K. Schmiegel)
Edward L. Veenhuizen)
Serial No. : 08/450,052)
Filed : May 25, 1995)
For : GROWTH PROMOTION)
Docket No. : X-5683I)

Group Art Unit: 1205
Examiner: K. Weddington

Handwritten notes:
A/T.D. OK
Della
3/18/97

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321

Assistant Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Identification of Person Making This Disclaimer

I, David E. Boone, Deputy General Counsel, General Patent Counsel, of Eli Lilly and Company. In that capacity, I am authorized to sign this disclaimer on its behalf.

Identity of Assignee

I hereby verify that the assignee owning all of the interest in this application is:

Eli Lilly and Company
Lilly Corporate Center
Indianapolis, Indiana 46285

Recordal of Assignment in PTO

The assignment was recorded on January 26, 1988, Reel 4824, Frame 524.

Extent of Interest

The extent of Eli Lilly and Company's interest is in the whole of this invention.

Disclaimer

I hereby disclaim the terminal part of any patent granted on this application, which would extend beyond September 1, 2004, the common expiration date of United States Patent Nos. 4,690,951, 4,734,437, and 4,992,473, and hereby agree that any patent granted on this application shall be enforceable only for and during such period that the legal title to that patent shall be the same as the legal title to United States Patent No. 4,690,951, 4,734,437, and 4,992,473.

I do not disclaim any terminal part of any patent granted on this application prior to the expiration date of the full statutory term of United States Patent No. 4,690,951, 4,734,437, and 4,992,473 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

9/1/87


7/19/88

Serial No. 08/450,052

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Fee Payment

Please charge \$110.00, the fee set forth in 37 C.F.R. 1.20(d), to Deposit Account No. 05-0830, in the name of Eli Lilly and Company. Two copies of this disclaimer are enclosed.



David E. Boone
Deputy General Counsel
General Patent Counsel
Registration No. 27,857

RE